

**TOWN OF HOLDERNESS  
ANNUAL TOWN MEETING  
MARCH 10 & 11, 2009**

At the annual Town Meeting of the Town of Holderness held on March 10 and 11, 2009 the following business was transacted.

You are hereby notified to meet at the Town Hall on Tuesday the tenth day of March next, at eight o'clock in the forenoon, at which time the polls shall be opened and shall not close earlier than seven o'clock in the evening to act upon Articles 1 & 2 herein; the third and subsequent Articles to be acted upon commencing at seven thirty o'clock in the evening (or immediately following the annual school district meeting whichever comes later) of the following day, Wednesday, the eleventh day of March, 2009, in the auditorium of the Holderness Central School.

**Article 1:** To choose all Town Officers by official ballot:

1 Selectmen	3 Year Term
1 Moderator	2 Year Term
1 Town Treasurer	1 Year Term
1 Trustee of Trust Fund	3 Year Term
2 Library Trustees	2 Year Term
1 Fire Ward	3 Year Term

## Article 2: 2009 Proposed Zoning Ordinance Changes

1. "Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the town zoning ordinance as follows:  
Delete Article IV, L, 1-5 and renumber 6-9 – Shoreline Structures, as the town has no authority regarding structures over the public water?"  
***(Recommended by the Planning Board)***  
Yes No
2. "Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the town zoning ordinance as follows:  
Delete Article VII, C 1. Lots - to allow a discretionary merger of two or more lots under the same ownership?"  
***(Recommended by the Planning Board)***  
Yes No
3. "Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the town zoning ordinance as follows:  
Add Article IV, V Outdoor Wood-Fired Hydronic Heaters – to regulate the use and installation of Outdoor Wood-Fired Hydronic Heaters as permitted by RSA 125-R including criteria relative to the smoke stack height and lot line setback?"  
***(Recommended by the Planning Board)***  
Yes No
4. "Are you in favor of the adoption of Amendment No. 4 as proposed by the Planning Board for the town zoning ordinance as follows:  
Add Article IV, W – Small Wind Energy Systems - to accommodate small wind energy systems in appropriate locations, while protecting the public's health, safety, and welfare as required by RSA 674:63 including maximum tower height, lot boundary setback, and other parameters?"  
***(Recommended by the Planning Board)***  
Yes No

**Article 3:** To see if the Town will vote to accept the reports of all Town Officers and Committees

**Article 4:** To see if the town will vote to establish a public safety special detail revolving fund pursuant to RSA 31:95-h and to restrict all revenues received for providing public safety services by municipal employees in connection with special events, highway construction and other construction projects. Such revenues and expenditures shall be accounted for in a revolving fund known as the Holderness Revolving Detail Fund, separate from the undesignated fund balance. The town treasurer shall have custody of all monies in the fund and shall pay out the same upon the order of the Selectmen. Any surplus in said fund shall not be deemed part of the general accumulated fund balance and shall be expended only after a vote by the legislative body to appropriate a specific amount from said Detail Fund for a specific purpose related to the purpose of the fund or source of revenue. (Majority Vote Required)

**Article 5:** To see if the Town will vote to raise and appropriate the budget committee recommended sum of Two Million Sixty-five Thousand Dollars (\$2,065,000.) for general municipal operations. Said sum does not include special or individual articles elsewhere within this warrant.

**Article 6:** To see if the Town will vote to raise and appropriate the sum of Three Hundred and Fifteen Thousand Dollars (\$315,000) to be placed into the following Capital Reserve Funds:

Fire/Rescue Vehicles	\$35,000.
Road Reconstruction	150,000.
White Oak Pond Dam	1,000.
Transfer Station Equipment	5,000.
Municipal Buildings	5,000.
Revaluation	32,000
Library	15,000.
Fire Equipment	2,000.
Public Works Vehicles	40,000.
Police Cruiser	20,000
Employee Health Insurance Trust	5,000
Conservation	<u>5,000</u>
	<b>\$315,000</b>

**Recommended by the Selectmen and Budget Committee**

**Article 7:** To see if the Town will vote to raise and appropriate the sum of Three Hundred and Thirty-six Thousand Seven Hundred Dollars (\$336,700) for the following capital projects and to fund this appropriation by authorizing the Selectmen to withdraw the sums indicated from the following designated Capital Reserve Funds for these purposes:

Road Reconstruction	\$150,000.
Municipal Building Improvements	\$ 7,500

Fire Department Rescue Vehicle	\$ 55,500
Revaluation	\$ 33,000
Fire Equipment	\$ 5,500
Public Works Backhoe	\$ 73,200
Library Improvements	\$ 12,000
<b>Total:</b>	<b>\$336,700</b>

This is a special warrant article.

**Recommended by the Selectmen and Budget Committee**

**Article 8:** To see if the town will vote to raise and appropriate the sum of Eleven Thousand (\$11,000) for the purchase of new computer equipment. This is a special warrant article. (Majority vote required)

**Recommended by the Selectmen and Budget Committee**

**Article 9:** To see if the town will vote to raise and appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500) for the support of entertainment and promotion of summer concerts to be held on the town common. This is a special warrant article. (Majority vote required)

**Recommended by the Selectmen and Budget Committee**

**Article 10:** To see if the Town will vote to name the Selectmen agents to expend funds from the previously established Village Sidewalks Summer Maintenance Capital Reserve Fund without further authorization from town meeting. (Majority vote required)

**Article 11:** To see if the Town will vote to name the Selectmen agents to expend funds from the previously established Municipal Buildings Improvements Capital Reserve Fund without further authorization from town meeting. (Majority vote required)

**Article 12:** To see if the town will vote to retain ownership of a 8.5 acre parcel of property located adjacent to White Oak Pond known as lot 245-067-000 acquired by tax deed June 26, 2006 for use by the town and to designate the Holderness Conservation Commission to oversee and manage said property. (Majority Vote Required)

**Article 13:** To see if the town will vote to change the annual town meeting for the selection of town officers and the transaction of all other town business from the second Tuesday in March to the second Tuesday in May beginning in 2010. (Majority Vote Required)

**Article 14:** To see if the town will vote to authorize the reporting of recommendation vote tallies of the Board of Selectmen and Budget Committee in the town warrant.

**Article 15:** To see if the town will vote to authorize the appointment rather than the election of the town treasurer.

**Article 16:** Shall the town vote to adopt the provisions of RSA 36-A: 4-a, 1(b) to authorize the conservation commission to expend funds for contributions to qualified organizations for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the town will retain no interest in the property.

**Article 17:** Shall the town vote to adopt the provisions of RSA 36-A:4-a, 1(a) to authorize the conservation commission to expend funds to purchase interests in land outside the boundaries of our municipality, subject to the approval of the local governing body?

**Article 18:** To see if the town will vote to adopt the following sex offender ordinance?

**THE TOWN OF HOLDERNESS, NH  
Sex Offender Ordinance**

**Purpose:**

Acknowledging that sex offenders who prey on children are at a higher risk of re-offending, the Town of Holderness has a compelling interest and responsibility to protect the health, safety and welfare of its children by restricting access to areas where there are high concentrations of children.

**A. Definitions:**

1. Registered Sex Offender: Any person required to register under RSA 651-B.
2. Offenders Against Children: Any Registered Sex Offenders who have been convicted of the crime against a person under the age of 18, as defined in RSA 651-B:1 and qualify to appear on the state maintained "Registered Offenders Against Children List".
3. School/Daycare: Any public or private educational facility that provides services for children in grades K-12 or any day care facility.
4. Protected Area: Any school, day care, playground area, athletic field or court, public beach, or any other recreational location or facility where minors regularly congregate completely or partially.
5. Radius: The distance shall be measured from the outer boundary lines of the properties in question within the boundaries of the Town of Holderness.
6. Premises: Shall mean the building structure and/or curtilage surrounding the
7. Sex Offender Registration Form: Shall mean the form provided to law enforcement for specific purpose of registering Sex Offenders, currently designated DSSP311 or any other form as required by the Department of Safety to comply with RSA 651-B.

**B. Restrictions:**

1. An Offender Against Children shall not reside within a 2,500 foot radius of the property line of a protected area.
2. An Offender Against Children as defined above is prohibited from entering a protected area, unless specifically authorized by the appropriate facility / location management or the Chief of Police or his designee.

**C. Exceptions:**

1. An Offender Against Children residing within 2,500 feet of a Protected Area will be exempt from section B: 1, if residency was established prior to the date of passage of this ordinance, or if a new Protected Area is proposed or built at a location that would otherwise be restricted under this ordinance after the date of residency.

**D. Protected Areas:**

Protected Areas under this ordinance include:

1. The Holderness Central School, 19 School Road.

2. The Holderness Private School, 33 Chapel Lane.
3. Livermore Beach, 36 Dirt Road.
4. Livermore Falls Beach, Livermore Road.
5. PSU Athletic Club, (Field House and Athletic Fields), 25 Field House Road.
6. Any licensed day care center that has been licensed by the State of New Hampshire.
7. Holderness Library, 866 U.S. Route 3.

**E. Penalties:**

1. Any person violating the provisions of B: 1 shall be subject to a fine of not less than \$500.00 for the first offense and shall relocate within 30 days. Any subsequent violations of this chapter by the same person shall be subject to a fine of not more than \$1000.00 and must vacate the premises within 24 hours.
2. Any person who fails to relocate within the 30 days will also be subjected to a \$50.00 per day fine for failing to comply with this ordinance. That fine will start 30 days after the subject has been notified by the Board of Selectmen to relocate, such notice may be given in the same manner as service of process in any district court action.
3. Any person violating the provisions B: 2 or B: 3 shall be subject to a fine of not less than \$500.00 for the first offense. Any subsequent violations of this chapter by the same person shall be subject to a fine of not more than \$1000.00.

This ordinance shall take effect upon passage and shall remain in full force and effect until amended or repealed by appropriate authority. This Ordinance supersedes all prior ordinances on similar subject matter.

Article 19: To transact any other business that can legally come before the meeting.

Given under our hands this 9<sup>th</sup> day of February in the year of our Lord Two Thousand and Nine.

**HOLDERNESS**

\_\_\_\_\_  
**Peter Webster, Chairman**

**BOARD OF**

\_\_\_\_\_  
**Barbara Currier, Vice-Chairman**

**SELECTMEN**

\_\_\_\_\_  
**Sidney Lovett**

\_\_\_\_\_  
**Suzanne B. Peoples**

\_\_\_\_\_  
**Christopher Divine**

**Cumulative Appropriations:**

<b>Article</b>	<b>Amount</b>	<b>Purpose</b>
<b>6</b>	<b>315,000.00</b>	<b>To Capital Reserve Accounts</b>
<b>7, 8, 9</b>	<b><u>350,200.00</u></b>	<b>Capital Projects</b>
<b>Subtotal</b>	<b>\$665,200.00</b>	
<b>5</b>	<b><u>\$ 2,065,000.00</u></b>	<b>Net Remaining Budget</b>
	<b>\$ 2,730,200.00</b>	<b>Proposed Gross Budget</b>